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Question of Palestine

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Comoros, Cuba, Djibouti, Egypt, Guinea, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Madagascar, Malaysia, Mali, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, South Africa, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including those adopted at the tenth emergency special session,

Recalling also its resolution 58/292 of 6 May 2004,

Recalling further relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973, 1397 (2002) of 12 March 2002, 1515 (2003) of 19 November 2003 and 1544 (2004) of 19 May 2004,

Welcoming the affirmation by the Security Council of the vision of a region where two States, Israel and Palestine, live side by side within secure and recognized borders,

Noting with concern that it has been fifty-eight years since the adoption of resolution 181 (II) of 29 November 1947 and thirty-eight years since the occupation of Palestinian territory, including East Jerusalem, in 1967,

Having considered the report of the Secretary-General submitted pursuant to the request made in its resolution 59/31 of 1 December 2004,[1]

Reaffirming the permanent responsibility of the United Nations with regard to the question of Palestine until the question is resolved in all its aspects in accordance with international law,

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* Reissued for technical reasons.

[1] A/60/539-S/2005/701.

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Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[2] and recalling also its resolution ES-10/15 of 20 July 2004,

Convinced that achieving a final and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles enshrined in the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Recalling its resolution 2625 (XXV) of 24 October 1970,

Reaffirming the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem,

Reaffirming also that the construction by Israel, the occupying Power, of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, are contrary to international law,

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[3] and the agreements concluded between the two sides and the need for full compliance with those agreements,

Recalling also the endorsement by the Security Council, in resolution 1515 (2003), of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[4] and stressing the urgent need for its implementation and compliance with its provisions,

Recognizing the efforts being undertaken by the Palestinian Authority, with international support, to rebuild, reform and strengthen its damaged institutions,

Welcoming the important contribution to the peace process of the United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority, including in the framework of the activities of the Quartet,

Welcoming also the convening of international donor meetings, as well as the establishment of international mechanisms to provide assistance to the Palestinian people,

Expressing its concern over the tragic events that have occurred in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, including the large number of deaths and injuries, mostly among Palestinian

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[2] See A/ES-10/273 and Corr.1.

[3] See A/48/486-S/26560, annex.

[4] S/2003/529, annex.

civilians, the deterioration of the socio-economic and humanitarian conditions of the Palestinian people and the widespread destruction of public and private Palestinian property and infrastructure,

Expressing its grave concern over the repeated military actions in the Occupied Palestinian Territory and the reoccupation of Palestinian population centres by the Israeli occupying forces, and emphasizing in this regard the need for the implementation of the Sharm el-Sheikh understandings,

Emphasizing the importance of the safety and well-being of all civilians in the whole Middle East region, and condemning all acts of violence and terror against civilians on both sides, including the suicide bombings, the extrajudicial executions and the excessive use of force,

Acknowledging the importance of the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and of the dismantlement of settlements therein as a step towards the implementation of the road map,

Stressing the urgent need for sustained and active international involvement, including by the Quartet, to support both parties in revitalizing the peace process towards the resumption and acceleration of direct negotiations between the parties for the achievement of a final peace settlement, in accordance with the road map,

Welcoming the initiatives and efforts undertaken by civil society in pursuit of a peaceful settlement of the question of Palestine,

Taking note of the findings by the International Court of Justice, in its advisory opinion of 9 July 2004, including on the urgent necessity for the United Nations as a whole to redouble its efforts to bring the Israeli-Palestinian conflict, which continues to pose a threat to international peace and security, to a speedy conclusion, thereby establishing a just and lasting peace in the region,[5]

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects, and of intensifying all efforts towards that end;

2. *Also reaffirms* its full support for the Middle East peace process, which began in Madrid, and the existing agreements between the Israeli and Palestinian sides, stresses the necessity for the establishment of a comprehensive, just and lasting peace in the Middle East, and welcomes in this regard the ongoing efforts of the Quartet;

3. *Welcomes* the Arab Peace Initiative adopted by the Council of the League of Arab States at its fourteenth session, held in Beirut on 27 and 28 March 2002;[6]

4. *Calls upon* both parties to fulfil their obligations in implementation of the road map[4] by taking parallel and reciprocal steps in this regard, and stresses the importance and urgency of establishing a credible and effective third-party monitoring mechanism including all members of the Quartet;

5. *Welcomes* the Israeli withdrawal from within the Gaza Strip and parts of the northern West Bank and the dismantlement of the settlements therein as a step towards the implementation of the road map;

[5] See A/ES-10/273 and Corr.1, advisory opinion, para. 161.

[6] A/56/1026-S/2002/932, annex II, resolution 14/221.

6. *Calls upon* Israel, the occupying Power, in this regard, to comply strictly with its obligations under international law, including international humanitarian law, with respect to the alteration of the character and status of the Occupied Palestinian Territory, including East Jerusalem;

7. *Emphasizes* the need for the parties, with the help of the international community, speedily and fully to resolve all remaining issues in the Gaza Strip, including a durable arrangement for the border crossings, the airport, the construction of the seaport, the removal of the rubble and the establishment of a permanent physical link between the Gaza Strip and the West Bank, and welcomes the positive role being played in this regard by the Quartet Special Envoy for Disengagement;

8. *Stresses* the need for a speedy end to the reoccupation of Palestinian population centres and for the complete cessation of all acts of violence, including military attacks, destruction and acts of terror;

9. *Stresses also* the need for the immediate implementation of the Sharm el-Sheikh understandings;

10. *Calls upon* the parties, with the support of the Quartet and other interested parties, to exert all efforts necessary to halt the deterioration of the situation, to reverse all measures taken on the ground since 28 September 2000 and to facilitate a speedy resumption of the peace process and the conclusion of a final peaceful settlement;

11. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion of 9 July 2004[2] and as demanded in resolutions ES-10/13 of 21 October 2003 and ES-10/15 of 20 July 2004 and, inter alia, that it immediately cease its construction of the wall in the Occupied Palestinian Territory, including East Jerusalem, and calls upon all States Members of the United Nations to comply with their legal obligations, as mentioned in the advisory opinion;

12. *Reaffirms its commitment*, in accordance with international law, to the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, based on the pre-1967 borders;

13. *Reiterates its demand* for the complete cessation of all Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the Occupied Syrian Golan, and calls for the full implementation of the relevant Security Council resolutions;

14. *Stresses* the need for:

(a) The withdrawal of Israel from the Palestinian territory occupied since 1967;

(b) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent State;

15. *Also stresses* the need for resolving the problem of Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

16. *Welcomes* the recent agreement on movement and access between the two sides, and stresses the need to ensure that the commitments made therein are fully implemented in accordance with the time line set out in the agreement;

17. *Urges* Member States to expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority during this critical period to help to alleviate the humanitarian crisis being faced by the Palestinian people, rebuild the Palestinian economy and infrastructure and support the restructuring and reform of Palestinian institutions;

18. *Requests* the Secretary-General to continue his efforts with the parties concerned, and in consultation with the Security Council, towards the attainment of a peaceful settlement of the question of Palestine and the promotion of peace in the region and to submit to the General Assembly at its sixty-first session a report on these efforts and on developments on this matter.